

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WARNER BROS. RECORDS INC.,

Plaintiff,

v.

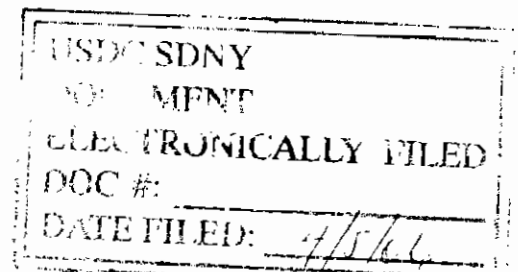
THIRD POWER ENTERPRISES, INC. dba 3rd
POWER ENTERPRISES, INC., COLD CHILLIN'
RECORDS AND VIDEO INC. dba COLD
CHILLIN' RECORDS & VIDEO, INC., TYRONE
WILLIAMS, AND JOHN DOES 1-60,

Defendants.
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INDEX NO. 04 Civ. 9583 (MGC)

(ECF CASE)

**[PROPOSED] DEFAULT
JUDGMENT**




This action having been commenced on December 6, 2004 by Plaintiff Warner Bros. Records Inc. ("WBR") against Defendants Cold Chillin' Records and Video Inc. ("Cold Chillin'"), Third Power Enterprises, Inc. ("Third Power") and Tyrone Williams; counsel for Defendants, Maureen Fogel, Esq., having moved to withdraw as counsel for Defendants on August 11, 2005, and the Court having granted Ms. Fogel's motion to withdraw; on September 7, 2005, the Court having ordered Defendants Third Power and Cold Chillin' Records & Video, Inc. to secure new counsel and for Defendant Tyrone Williams to notify the Court whether he will appear pro se, both within 45 days, or by October 24, 2005; Defendants having been warned that a failure to comply with the Court's September 7, 2005 order could result in a default being entered against them; Defendants having failed to comply with the Court's September 7, 2005 order; WBR having moved for this default judgment and a hearing having been held on March 9, 2006, each without opposition or appearance by any defendant,

IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As of January 1, 2002, Plaintiff WBR is the sole and exclusive owner of the copyrights in each of the sound recordings and works that are listed as exhibits to the assignment agreement that is attached to the Complaint in this action (the "WBR Works");
2. Defendants Cold Chillin' and Third Power each have infringed and willfully infringed WBR's copyrights in the WBR Works;
3. WBR is awarded statutory damages under 17 U.S.C. Section 504, jointly and severally against Defendants Cold Chillin' and Third Power, in the amount of \$ 10,000 for each of the twenty-three (23) WBR Works at issue in the Complaint, for a total of \$230,000; and
4. Defendants Cold Chillin' and Third Power, together with their agents, servants, officers and employees, as well as any parents, assignees, licensees, subsidiaries, affiliates, and successor entities, and all persons in active concert and participation with them, are hereby permanently restrained from licensing, manufacturing, distributing, or otherwise exploiting and/or holding themselves out as the owner of, or having the right or authority to manufacture, distribute or otherwise exploit or to authorize the same for, any of the WBR Works.

Dated: ~~March~~ ^{April} 4, 2006

New York, New York



Miriam Goldman Cedarbaum, U.S.D.J.

This document was entered on the docket
on _____.